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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 29 2005

JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF WASHINGTON AT SPOKANE

WILLIAM UHLENKOTT,
an individual,

Plaintiff,

v.

ENDOT INDUSTRIES, INC.,
a New Jersey corporation,

Defendant.

Case No. CV-03-0038-FVS

FINAL JUDGMENT ON
CONSENT

Plaintiff William Uhlenkott ("Uhlenkott") brought suit for Patent Infringement, accusing Defendant Endot Industries, Inc. ("Endot") infringing Uhlenkott's patents, U.S. Patent Nos. 6,302,213 ("the '213 patent"), issued October 16, 2001, and 6,513,597 ("the '597 patent"), issued February 4, 2003, in violation of patent laws of the United States, Title 35 U.S.C. § 1 *et. seq.*

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FINAL JUDGMENT ON CONSENT – 1

Chernoff, Vilhauer, McClung &
Stenzel, LLP
1600 ODS Tower
601 S.W. Second Avenue
Portland, OR 97204-3157

1 The parties having settled their differences by mediation before the Hon.
 2 Judge Michael W. Leavitt on June 29, 2005, which settlement is memorialized
 3 herein, therefore, JUDGMENT IS ENTERED as follows:

4 1. This Court has jurisdiction over the subject matter of this action
 5 and over the parties;

6 2. The '213 patent and '597 patent are valid and enforceable.

7 3. Endot, its successors and assigns, its agents, servants, employees,
 8 officers, directors, principals and any other persons in active concert or
 9 participation with Endot are permanently enjoined from making, using, selling
 10 or offering to sell any product under any name or stock number that infringes
 11 the '213 patent or the '597 patent, from contributing to the infringement of the
 12 '213 patent or the '597 patent, or from inducing others to infringe the '213
 13 patent or the '597 patent. *Endot represents it has engaged in no such activities since 2/28/05.* *nb. 21.*


14 4. As compensation to Uhlenkott for Endot's past infringement of the
 15 inventions of the '213 patent and '597 patent, Uhlenkott shall have a judgment
 16 against Endot for damages, enhanced damages, and attorney fees and costs, and
 17 Endot shall pay Uhlenkott the sum of ~~\$237,500~~ ^{240,000.*}, which judgment
 18 ~~shall accrue interest at the statutory rate until paid in full.~~

19 5. The claims of the Defendant are dismissed with prejudice.

20 6. The parties consent to the entry of this Final Judgment on Consent
 21 in the form set forth herein.


22 ~~/// * \$100,000 in ten business days;~~
 23 ~~/// ~~\$140,000~~ over 18 months in 6 ~~\$23,333.33~~~~
 24 ~~/// ~~\$140,000~~ quarterly payments of ~~\$23,000~~; and~~
 25 ~~/// ~~over final payment of \$27,500.~~ (July 11, 2005)~~
 26 ~~/// ** 100,000 in ten business days;~~
 27 ~~/// 140,000 over 18 months in 6 quarterly~~
 28 ~~payments of \$23,333.33, due on~~
 29 ~~FINAL JUDGMENT ON CONSENT - 2~~ *October 10, 2005 and*
 30 *quarterly thereafter - (on 10/10/05, 1/9/06,*
 31 *interest at 10% on late 4/10/06,*
 32 *payments after 10 day 7/10/06,*
 33 *grace period. 10/9/06, and 1/8/07)*
 34 *Chernoff, Vilhauer, McClung &*
 35 *Stenzel, LLP*
 36 *1600 ODS Tower*
 37 *01 S.W. Second Avenue*
 38 *Portland, OR 97204-3157*

DATED this 25th day of June, 2005.


Hon. Judge Michael W. Leavitt

CHERNOFF, VILHAUER, McCLUNG
& STENZEL, LLP


So stipulated:

By 
Susan D. Pitchford, WSBA No. 26259
Of Attorneys for Plaintiff

William Uhlenkott
William Uhlenkott,
Plaintiff

FOSTER PEPPER & SHEFELMAN PLLC

So Stipulated

By 
John R. Nelson, WSBA No. 16393
Of Attorneys for Defendant

Jennifer Mairin, President
for Defendant
Endot.